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VIERRA MAGEN MARCUS & DENIRO LLP 575 MARKET STREET SUITE 2500 SAN FRANCISCO, CA 94105			KENDALL, CHUCK O	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/449,021	Applicant(s) EMMELMANN, HELMUT
	Examiner CHUCK O. KENDALL	Art Unit 2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(o).

Status

1) Responsive to communication(s) filed on ____.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) ____ is/are pending in the application.

4a) Of the above claim(s) ____ is/are withdrawn from consideration.

5) Claim(s) ____ is/are allowed.

6) Claim(s) ____ is/are rejected.

7) Claim(s) ____ is/are objected to.

8) Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on ____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. ____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date ____

5) Notice of Informal Patent Application

6) Other: ____

DETAILED ACTION

1. This action is in response to communicate received 09/09/08.
2. Claims 1 – 6, 8, 22 – 33, 41 – 43, 51 – 96, and 114 – 128 are pending in this application.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1 – 6, 8, 22 – 33, 41 – 43, 51 – 96, and 114 – 128 are rejected under 35 U.S.C. 103(a) as being unpatentable over WebWriter: A Browsers -Based Editor for Constructing Web Applications Arturo et al. Published May 1996 (Hereinafter “WebWriter”) in view of WebWriter II, Arturo et al. Published 1997.

Regarding claims 1, 6, 22, 26, 51, 59, 74, 90, 114, 125, a computer-readable medium encoded with computer programs having executable instructions software development system for editing software applications that run on a data network and a client computer, wherein the client computer runs a browser program, and whereupon request by the browser program at least one of the applications generates generated documents for display by the browser program on a display device and responds to the request with the generated documents page comprising:

a page document generator program running at least part of one of the applications being edited and generating the generated documents said generated documents including additional editing features for interpretation by the browser program (page 9, column 1, see WebWriter page Generator); and

an editor program dynamically operating on the generated documents pages displayed by the browser program via the editing features (page 9, column 1, see WebWriter page Generator, see on the fly).

Although, WebWriter doesn't disclose having a server, WebWriterII discloses WebWriter coupling a WebServer in its implementation (section 1.2). Therefore it would have been obvious to one of ordinary skill in the art

at the time the invention was made combine WebWriter and WebWriter II, because it would enable making changes on the fly remotely.

Regarding claim 2, a computer-readable medium software development system as claim 1, further encoded with further comprising a plurality of components, and wherein developed the software applications comprise at least one page document template capable of containing components, and wherein the editor provides features to insert, modify and delete a component on at least one page document template, and wherein the page-document generator executes selected components on page document templates (page 2, Column 1, see Heading The WebWriter Application Model, shows template page).

Regarding claim 3, a computer-readable medium software development system as in claim 2, wherein at least one of the components reacts interactively on user input by executing instructions of said component on the server computer (see, FIG. 2).

Regarding claim 4, a computer-readable medium software development system as in claim 3, wherein at least one of the components contains at least one other component (FIG. 2, also see FIG. 4).

Regarding claim 5, a computer-readable medium software development system as in claim 3, wherein the set of components on pages documents generated from at least one page document template can vary for different requests of said page document template (page 2, Column 1, see Heading The WebWriter Application Model, shows template page, also see page 9).

Regarding claim 8, the development system of claim 6, wherein a component is nested within a component (WebWriter, see FIG. 4).

Regarding claim 23, a computer readable medium as in claim 22, wherein the editor program operates functional applications in an edit mode permitting editing directly in the web browser (page 2, Column 1, see Heading The WebWriter Application Model, shows template page).

Regarding claim 24, a computer readable medium as in claim 23 wherein at least one of the components contains instructions and can react on subsequent document requests containing user responses by executing selected instructions of said component (See WebWriter page 2 – 9 and et. seq).

Regarding claim 25, a computer readable medium as in claim 24, of component classes, each component class implementing one component kind (WebWriter page 2 – 9, et seq); and

a parser program able to detect components marked on document templates (WebWriter page 2 – 9, et seq);

wherein the document generator program works upon a document request using component classes to generate browser code (WebWriter page 2 – 9, et seq); and

wherein the editor program is capable of showing a menu of components for insertion into the document templates (See WebWriter page 2 – 9 see editor, equivalent function).

Regarding claim 27, the system of claim 26, wherein the first document includes at least one component being executed by the first software program (See WebWriter page 2 – 9 and et. seq).

Regarding claim 28, the system of claim 27, wherein the second document includes handles and choosing one of the handles selects a component for an editing operation (WebWriter page 4, see clicking on its handles).

Regarding claim 29, the system of claim 28, wherein at least one handle indicates the position of at least one component contained in the first document and said editing operation includes modifying the component, deleting the component, and displaying information regarding the component (WebWriter page 4, see clicking on its handles).

Regarding claim 30, the system of claim 26, wherein the features include scripts (See WebWriter page 2 – 9 and et. seq).

Regarding claim 31, the system of claim 30, wherein the scripts encapsulate information from the first document (See WebWriter page 2 – 9 and et. seq)

Regarding claim 32, the system as in claim 26, wherein the features incorporate information regarding the first document into the second document (See WebWriter page 2 – 9 and et. seq).

33. (currently amended) A system as in claim 32, wherein the information incorporated into the second document is used on the client computer in order to send change requests for the first document to the server computer (WebWriterII, see page 1510 section 4.1).

Regarding claim 41, (currently amended) a computer-readable medium as in claim 1, the editor program comprising a client part for

execution on the client computer (WebWriterII, see page 1510 section 4.1).

Regarding claim 42, a computer-readable medium as in claim 41, wherein the client part comprises instructions for execution during editing that are automatically downloaded from the server computer in a request prior to editing (WebWriterII, see page 1510 section 4.1).

Regarding claim 43, a system computer-readable medium as in claim 26, additionally comprising at least one script for automatic download to the client that works in cooperation with the second document to permit editing of the first document (WebWriterII, see page 1510 section 4).

52. (previously amended) The system of claim 51, wherein at least some components include fourth program instructions including steps to generate browser code for transmission to the first software program in response to a request from the first software program, wherein the browser code can differ for multiple requests for the same document template (See WebWriter page 2 – 9 and et. seq).

53. (currently amended) A system as in claim 52 having a data network,

coupling the computer and a client computer, the first program running on the client computer (WebWriterII, see page 1508 section 1.2).

54. (currently amended) A system as in claim 52 wherein second documents include HTML pages with embedded scripts(See WebWriter page 2 – 9 and et. seq).

55. (currently amended) The system of claim 52, wherein the editing functions includes adding a component to a document template, removing a component from a document template, and modifying a component on a document template (See WebWriter page 2 – 9 , see editor).

56. (previously added) The system of claim 52, further comprising a fifth software program used by the second software program while processing selected document requests, the fifth software program including fifth instructions for generating generated documents from document templates thereby calling fourth program instructions (See WebWriter page 2 – 9 , see templates and generator).

57. (previously added) The system of claim 56, wherein the generated document includes, if requested in edit mode, edit features for interpretation by the first software program (See WebWriter page 2 – 9 , see editor).

58. (previously amended) The system of claim 56 further comprising instructions to allow the user to click on the generated document to select items to perform edit functions on (See WebWriter page 2 – 9 , see editor).

60. (currently amended) The software development system of Claim 59 comprising a data network which couples a server computer and a client computer, the document generator program running on the server computer, the editor program at least partly running on the client computer(WebWriterII, see page 1510 section 4).

61. (currently amended) The software development system of claim 60 comprising fourth instructions for execution during document generation to collect edit- information for use by the editor program (See WebWriter page 2 – 9 , see editor).

62. (currently amended) The software development system of claim 60, wherein the editor program uses a web browser for displaying said view(See WebWriter page 2 – 9 , shows web browser).

63. (currently amended) The software development system of claim 60,

comprising instructions for automatically repeating the requesting that the document generator processes the dynamic web document when if required (See WebWriter page 2 – 9, shows web browser).

64. (currently amended) The software development system of Claim 59 further comprising a plurality of components including at least one component marked on said dynamic web document and including instructions for use by the document generator program to generate browser code (See WebWriter page 2 – 9, see on the fly).

65. (currently amended) The software development system of claim 64, wherein the editor program uses a web browser for displaying said view (See WebWriter page 2 – 9, shows web browser).

66. (currently amended) The software development system of claim 64, wherein the modification functions includes insertion of a component, detete deletion of a component, and modify modification of a component (See WebWriter page 2 – 9, shows see editor).

67. (previously added) The software development system of claim 59, wherein said view looks, except for editing features, similar to the end-user view of the generated document(See WebWriter page 2 – 9, shows see editor).

68. (currently amended) The software development system of claim 59

comprising sixth instructions to collect edit-information for use by the editor program, said sixth instructions for execution during document generation(See WebWriter page 2 – 9, shows document generator).

69. (currently amended) The software development system of claim 68, wherein the editor program uses the edit-information to correctly modify the dynamic web document (See WebWriter page 2 – 9, shows see editor).

70. (currently amended) The software development system of claim 69, further comprising a plurality of components wherein the edit-information comprises position information on selected components marked on the dynamic web document (See WebWriter page 2 – 9, shows dynamic web content).

71. (currently amended) The software development system of claim 59, wherein the editor program uses a web browser for displaying said view(See WebWriter page 2 – 9, shows see editor).

72. (currently amended) The software development system of claim 71, wherein the first instructions comprise seventh instructions for initiating a reload in the browser (See WebWriter page 2 – 9, shows browser).

73. (currently amended) The software development system of claim 59

wherein the editor program comprises eighth instructions to display information on at least one element of at least one dynamic web document, that is replaced during document generation, without requesting that the document generator program generates a document (See WebWriter page 2 – 9, shows generator).

75. (currently amended) The system as in claim 74, wherein the editing functions comprises adding a component, modifying a component, and deleting a component (See WebWriter page 2 – 9, shows see editor).

76. (currently amended) The ~~software development~~ system as in claim 74, wherein tag syntax is used to denote at least one component on at least one document template, whereby the tag name identifies the component kind(See WebWriter page 2 – 9, shows use of templates).

77. (currently amended) The system of claim 74 comprising a server computer coupled to a client computer by a data network, the document generator program running on the server computer, and the editor program running, at least partly, on the client computer (WebWriterII shows Web server and editor, also see WebWriter).

78. (currently amended) The ~~software development~~ system as in claim 74, wherein at least one component; that can react interactively on subsequent document requests can be excluded from said generated document upon selected document requests for said document template (See WebWriter page 2 – 9, shows generator and templates).

79. (currently amended) The ~~software development~~ system as in claim 78 comprising third instructions to prevent excluded components from reacting on subsequent document requests (See WebWriter page 2 – 9).

80. (currently amended) A ~~software development~~ system as in claim 79, said third instructions comprising fourth instructions to, upon a first document request, store information in session memory on some of the components that are present on the document generated based on the first document request, and fifth instructions to, upon subsequent document requests, only react on components that have been remembered in session memory thereby avoiding tampering with excluded components on the side of the first program (See WebWriter page 2 – 9).

81. (currently amended) A ~~software development~~-system as in claim 74 wherein at least one first component contains sixth instructions to decide upon a request for said document template about exclusion of components nested inside the first component from the generated document(See WebWriter page 2 – 9, shows Templates).

82. (currently amended) A ~~software development~~-system as in claim 74 the system ~~able to provide~~ providing an editable view taking the varying set of components into account (See WebWriter page 2 – 9, shows editor and display/interface).

83. (currently amended) A ~~software development~~-system as in claim 74 ~~system able to provide~~ providing an editable view that includes and excludes selected components on different requests for said document template ~~similarly as similar~~ to the end user's view of the document template (See WebWriter page 2 – 9, shows editor and template).

84. (currently amended) A ~~software development~~-system as in claim 74 wherein a document generated for at least one document template contains more components than the document template for at least one document

request (See WebWriter page 2 – 9, shows templates).

85. (currently amended) The ~~software development~~ system as in claim 74, wherein multiple instances of at least one third component denoted on the document template can be included in at least one of the documents generated from said document template(See WebWriter page 2 – 9, shows templates).

86. (currently amended) The ~~software development~~ system as in claim 74, comprising seventh instructions to assign a unique identifier to each component instance of at least one seventh component, whereby the seventh component includes eighth instructions to qualify names generated into the browser code with the unique identifier(See WebWriter page 2 – 9).

87. (currently amended) A ~~software development~~ system as in claim 74, wherein at least one fourth component contains ninth instructions to decide how many instances of components nested inside the fourth component are included in the documents generated from said document template(See WebWriter page 2 – 9, shows templates).

88. (currently amended) A ~~software development~~ system as in claim 74 the editor program able to provide an editable view that includes multiple instances of selected components similarl-as to the end user's view of the document template(See WebWriter page 2 – 9, see template).

89. (currently amended) A ~~software development~~-system as in claim 74 wherein at least one sixth component includes tenth instructions to display the sixth component, the tenth instructions being used to generate browser code for displaying the sixth component during editing as well as during normal use of the component (See WebWriter page 2 – 9, shows browser).

91. (currently amended) The system as in claim 90 wherein the editor program includes instructions to display at least two windows, a first browser window displaying said document and a second window for displaying information on an element contained in said document(See WebWriter page 2 – 9).

92. (currently amended) The system as in claim 90 comprising a second software program having instructions for storing modifications on said document in cooperation with the first software program (See WebWriter page 2 – 9, see editor).

93. (currently amended) The system ~ as in claim 92 further comprising a third program having instructions for transforming an original document into the document, the browser displaying the document as said view looking similar to the original document and interpreting editing features contained in the document (See WebWriter page 2 – 9, see editor).

94. (currently amended) The system ~ as in claim 93 wherein said original document is a dynamic document having components denoted thereon, the third software program comprising instructions for generating browser code in cooperation with selected instructions contained in the components (See WebWriter page 2 – 9, shows browser).

95. (currently amended) The system ~ as in claim 94 comprising a client computer connected to a server computer via a data network, wherein the browser together with the first software program is running on the client computer and the second and the third software program run on the server computer (See WebWriter page 2 – 9).

96. (currently amended) The system as in claim 90 wherein links contained in said document stay functional allowing the user to browse and edit at the same time (See WebWriter page 2 – 9, see editor).

115. (previously amended) The system of claim 128 wherein first features include fourth program instructions for passing information to the editor (See WebWriter page 2 – 9, see editor).

116. (currently amended) The system of claim 115 wherein at least part of said information is collected during execution of selected components on the server compute r(See WebWriter page 2 – 9).

117. (currently amended) The system of claim 115 wherein said information is transmitted from the server computer to the client computer (See

WebWriter II et seq.).

118. (previously amended) The system of claim 115 wherein said information includes attribute values of said component (See WebWriter page 2 – 9, see editor).

119. (previously amended) The system of claim 128 wherein first features include fifth instructions that display additional editing features of the component during editing (See WebWriter page 2 – 9, see editor).

120. (previously added) The system of claim 119 wherein said editing features include handles (See WebWriter page 2 – 9, see editor).

121. (previously amended) The system of claim 128 wherein first features include an extension for use by the editor, said extension for enabling editing of an attribute value of the components(See WebWriter page 2 – 9, see editor).

122. (currently amended) The system of claim 121 wherein said extension enables display of a page for editing the-attribute values of the components (See WebWriter page 2 – 9, see editor).

123. (previously amended) The system of claim 128 wherein at least one component is denoted on at least one document template using tag syntax, whereby the tag name identifies a component kind (See WebWriter page 2 – 9, see templates).

124. (previously amended) The system of claim 114 containing at least one component wherein second program instructions are used to generate browser code for displaying the component during editing and during normal use (See WebWriter page 2 – 9, see browser).

126. (currently amended) The method of claim 125 wherein the running step and the displaying step are repeated after the modification function (See WebWriter page 2 – 9, see editor).

127. (previously added) The method of claim 125 further comprising collecting edit information for use by the identifying step (See WebWriter page 2 – 9, see editor).

128. (previously added) The system of claim 114 additionally comprising a plurality of document templates with components denoted thereon, whereby the browser code generated by the components can vary for different requests of the same document template (See WebWriter page 2 – 9, see editor, generator and browser and templates as well).

Correspondence Information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuck Kendall whose telephone number is 571-272-3698. The examiner can normally be reached between Monday and Thursday, at 11:00 am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Dam can be reached on 571-272-3695. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Chuck O Kendall/

Examiner, Art Unit 2192